

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

Joint Application of Louisville Gas and Electric)
Company and Kentucky Utilities Company for) **Case No. 2014-00003**
Review, Modification, and Continuation of)
Existing, and Addition of New, Demand-Side)
Management and Energy Efficiency Programs)

MOTION TO INTERVENE
OF WAL-MART STORES EAST, LP AND SAM'S EAST, INC.

Pursuant to K.R.S. §278.310 and 807 KAR 5:001 Section 3(8), Wal-Mart Stores East, LP and Sam's East, Inc. (collectively, "Walmart"), by its attorneys, respectfully requests that the Commission permit it to intervene and become a party in the above-captioned matter. In support of its Motion to Intervene, Walmart submits as follows:

1. On January 17, 2014, Louisville Gas and Electric Company and Kentucky Utilities Company (together, the "Companies"), filed a Joint Application seeking approval of a proposed 2015-2018 Demand-Side Management and Energy Efficiency Program Plan ("DSM/EE Program Plan") and proposed tariffs.

2. Walmart is a national retailer of goods and services throughout the United States. Walmart's principal office is at 2001 SE 10th Street, Bentonville AR 72716-0550.

3. Walmart has the privilege of providing its retail services in the Commonwealth of Kentucky. Walmart is a large commercial customer of the Companies. Walmart has multiple facilities in Kentucky that are served by the Companies. Walmart purchases more than 170 million kWh annually from the Companies, principally pursuant to service under Time-of-Day Secondary and Primary rate schedules. Electricity is one of the top operating costs of Walmart.

As a result, any modification to the Companies' DSM/EE Program Plan has the potential to financially impact Walmart's operations in Kentucky.

4. In addition, Walmart is committed to investment in its own energy efficiency and demand side management on a local, national, and global scale, and Walmart is concerned that the Companies' DSM/EE Program Plan may adversely impact the ability of Walmart to pursue its own DSM/EE initiatives in the Companies' service territory in a cost effective way. Therefore, Walmart has a direct and substantial interest in the outcome of this proceeding. Further, Walmart is unique in that it is a single commercial customer that purchases substantial amounts of electric and related services from the Companies pursuant to multiple accounts at multiple locations. Thus, Walmart has an interest in this proceeding that is not represented by any other party.

5. The attorneys representing Walmart in this proceeding are:

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Mr. Parker is authorized to accept service of papers in this proceeding on behalf of Walmart. Walmart also respectfully requests that Mr. Williamson and Ms. Shadrick be added jointly to the service list. Walmart plans to cause to be filed a motion for Mr. Williamson and Ms. Shadrick to be admitted *pro hac vice* before this Commission, and subsequent to any Commission grant of such request, Walmart requests that Mr. Williamson and Ms. Shadrick be added to the official service list as attorneys authorized to accept service of papers in this proceeding.

6. This Motion to Intervene is timely filed, as this intervention request precedes the Commission's established deadline for intervention of February 5, 2014.

WHEREFORE, Wal-Mart Stores East, LP respectfully requests that it be granted leave to intervene and be made a party to the above-captioned proceeding.

Respectfully submitted,

SPILMAN THOMAS & BATTLE, PLLC



By

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Counsel to Wal-Mart Stores East, LP and Sam's East, Inc.

Dated: February 5, 2014

CERTIFICATE OF SERVICE

I hereby certify that Walmart's February 5, 2014, electronic filing is a true and accurate copy of the Motion to Intervene to be filed in paper medium; and that on February 5, 2014, the electronic filing has been transmitted to the Commission, and that an original and one copy of the filing will be delivered to the Commission, that no participants have been excused from electronic filing at this time, and electronic mail notification of the electronic filing is provided to the following:

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